

Appln No. 10/681,038  
Amdt date December 14, 2004  
Reply to Office action of August 26, 2004

REMARKS/ARGUMENTS

The foregoing amendments and following remarks are made in response to the Office action of August 26, 2004, and further in response to the telephonic interview conducted with Examiner Harris on December 13, 2004. Claims 1 and 3 are currently amended, no claim has been added or canceled. Claims 1-9 remain pending. No new matter has been added.

On pages 2-6 of the Office action, claims 1-9 are rejected under 35 U.S.C. 101, as unpatentable subject matter due to the claims not being limited to the technological arts. Applicant has amended claim 1 to include reference to the media presentation device and user interface discussed throughout the specification, such as, for example, pages 3, 5-6, etc. Applicant respectfully submits that amended claim 1 recites limitations that are within the technological arts. In the telephonic interview with the Examiner of August 26, 2004, the Examiner has indicated that she agrees with Applicant's contentions and that the amendments to claim 1 overcome the previous 101 rejection. Applicant therefore respectfully requests that the rejection to claims 1-9 be withdrawn and that the claims be passed to issuance.

On page 7 of the Office action, claims 1-9 are rejected as obvious over Sloane. Applicant respectfully traverses this rejection. Applicant submits that Sloane does not teach or suggest identifying a problem behavior exhibited by a child, selecting an educational time-out presentation corresponding to that problem behavior, or presenting the educational time-out presentation to the child to educate the child about that


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problem behavior and alternate appropriate behavior. Applicant additionally submits that these limitations further not taught or suggested by Applicant's background section, and that no motivation is suggested in either Sloane or Applicant's background section to combine Sloane with any prior art time-out method discussed in Applicant's background. In the telephonic interview conducted with Examiner Harris on December 13, 2004, the Examiner agreed with Applicant's contentions. Applicant therefore respectfully requests that the rejection to claims 1-9 be withdrawn and the claims be passed to issuance.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is now in condition for allowance, and reconsideration and allowance is therefore requested. Applicant notes with appreciation that the Examiner has indicated that in the event that she discovers any additional prior art that she believes may form a basis for rejection of the amended claims, she will contact the undersigned to discuss before issuing a final rejection. Applicant greatly appreciates the Examiner's cooperation and efficiency in this case.

Respectfully submitted,  
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